

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

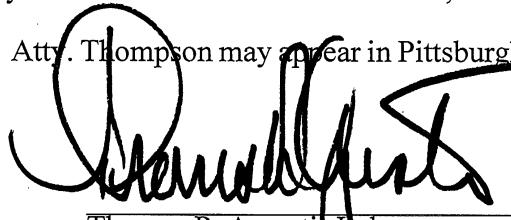
IN RE:

LARRY E. CHARLES and : Case No. 19-10095-TPA
SHIRLEY M. CHARLES, : Chapter 12
Debtors. : Related to Doc. 74

ORDER TO SHOW CAUSE

Despite this being the Debtors' third Chapter 12 bankruptcy, resulting in an aggregate of time in bankruptcy of almost 9 years, and despite the Debtors previously being admonished to the effect that their projections were inadequate and inappropriate, the Debtors' have filed *Amended Projections*, essentially identical to the ones that were previously deemed unacceptable by the Court at the June 20th hearing on the prior *Order to Show Cause* (issued for this very reason), by simply providing additional narrative in support of its projections. The Debtors have been in bankruptcy since February. They therefore have the months of February, March, April, May, June and most of July to identify specific post-petition data in support of their projections, yet they appear to cavalierly file the *Amended Projections* currently at issue in the manner they did. For that reason, the Court is prepared to dismiss this case with prejudice, involving a two-year bar to refiling.¹ Therefore,

AND NOW, this 25th day of *July, 2019*, for the reasons stated above, it is hereby **ORDERED, ADJUDGED, and DECREED** that an *Order to Show Cause* is issued against *Brian Thompson, Esq., Larry E. Charles, and Shirley M. Charles* to *personally appear* at a hearing scheduled for *August 7, 2019 at 12:00 P.M.* in the Erie Bankruptcy Courtroom, 17 South Park Row, Erie, PA 16501 and show cause as to why their case should not be dismissed, with prejudice, for failure to comply with this Court's Orders. Atty. Thompson may appear in Pittsburgh via video conference.



Thomas P. Agresti, Judge
United States Bankruptcy Court

Case administrator to serve:

Brian Thompson, Esq.
Ronda Winnecour, Esq.
Debtors

¹ Previously a three-year bar to refiling had been considered by the Court.

Certificate of Notice Page 2 of 2
United States Bankruptcy Court
Western District of Pennsylvania

In re:
 Larry E. Charles
 Shirley M. Charles
 Debtors

Case No. 19-10095-TPA
 Chapter 12

CERTIFICATE OF NOTICE

District/off: 0315-1

User: dkam
 Form ID: pdf900

Page 1 of 1
 Total Noticed: 1

Date Rcvd: Jul 26, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 28, 2019.

db/jdb +Larry E. Charles, Shirley M. Charles, 1407 Deckards Run Road, Cochranton, PA 16314-9343

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
 NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 28, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 26, 2019 at the address(es) listed below:

Brian C. Thompson on behalf of Debtor Larry E. Charles bthompson@ThompsonAttorney.com, blemmon@thompsonattorney.com;mgillespie@thompsonattorney.com;bthompson@ecf.courtdrive.com;jgorze@thompsonattorney.com;bwamsley@thompsonattorney.com
 Brian C. Thompson on behalf of Joint Debtor Shirley M. Charles bthompson@ThompsonAttorney.com, blemmon@thompsonattorney.com;mgillespie@thompsonattorney.com;bthompson@ecf.courtdrive.com;jgorze@thompsonattorney.com;bwamsley@thompsonattorney.com
 Christopher P. Schueller on behalf of Creditor Fairport Asset Management II, LLC successor to Commerical Loan Investment VII, LLC christopher.schueller@bipc.com, donna.curcio@bipc.com
 Christopher P. Schueller on behalf of Creditor Commercial Loan Investment VII, LLC christopher.schueller@bipc.com, donna.curcio@bipc.com
 David A. Scott on behalf of Creditor CNH Industrial Capital America LLC scott@lg-law.com
 James Warmbrodt on behalf of Creditor DITECH FINANCIAL LLC bkgroup@kmlawgroup.com
 Jill Locnikar on behalf of Creditor United States of America acting through Farm Service Agency jill.locnikar@usdoj.gov, patricia.fitzgerald@usdoj.gov;caseview.ecf@usdoj.gov;Marla.Kirkland@usdoj.gov
 Kelly M. Neal on behalf of Creditor Commercial Loan Investment VII, LLC kelly.neal@bipc.com, donna.curcio@bipc.com
 Kelly M. Neal on behalf of Creditor Fairport Asset Management II, LLC successor to Commerical Loan Investment VII, LLC kelly.neal@bipc.com, donna.curcio@bipc.com
 Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov
 Ronda J. Winnecour cmeecf@chapter13trusteeewdpa.com

TOTAL: 11